IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.24403 of 2004

Between:

Hazi Mohd. Vazir, S/oMohd. Khaja,

Resident of H.No.22-7-589/4, Miralam Mandi, Hyderabad.

..... PETITIONER

AND

1. HyderabadMetropolitan Water Supply and Sewerage Board,

Hyderabad, W.S. & S.M. Division-I rep. by its General Manager (E)

2. The Executive Engineer, Water Supply Division No.I, Hyderabad.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction on the part of the 2nd respondent in not converting the petitioner's commercial water supply to domestic water supply in spite of and pursuant to the letter written by the petitioner dated 3-9-1990, for insisting for the payment of water supply bill according to commercial reading as illegal, void, and consequently to direct the respondents to charge water tariff according to the domestic supply tariff from 3-9-1990 onwards keeping in view of the responsibility of the municipality after declaring the action of the 1st and 2nd respondents in refusing to convert the petitioner's tariff from commercial to domestic as arbitrary, discriminatory and violative of principles of natural justice.

Counsel for the Petitioner: SMT.PUSHPINDER KAUR

Counsel for the Respondents: MS.M.VENKATESWARI

The Court, at the admission stage, made the following :

ORDER:

The case of the petitioner is that prior to 1987 he was running a Poultry Farm and since it was a commercial business, he was paying tariff towards water charges as per the rates applicable to commercial transaction. The grievance of the petitioner is that in the year 1987 he wound up the said business and he made representations on 03.09.1990 and on 29.11.2004 before the respondents seeking to convert the water tariff from commercial to domestic one, but the respondents did not take any action in the matter. Hence, he filed the present writ petition.

Heard the learned counsel for petitioner and learned Standing Counsel for respondents.

Since the representations of the petitioner dated 03.09.1990 and 29.11.2004 are said to be pending consideration before the respondents, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition with a direction to the respondents to consider the same and pass appropriate orders thereon in accordance with law.

With the above direction, the writ petition is disposed of at the stage of admission. No costs.

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(N.V. RAMANA, J)

Date: 28.12.2004

Nsr/Tvk

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. HyderabadMetropolitan Water Supply and Sewerage Board,

Hyderabad, W.S. & S.M. Division-I rep. by its General Manager (E)

2. The Executive Engineer, Water Supply Division No.I, Hyderabad.

3. Two CD copies.